

an express act of Congress authorizing such extraordinary action. And if my colleagues want to grant the government this power over their constituents, they should authorize it themselves; they shouldn't hide behind vague authorizations so the voting public doesn't know what they are doing.

This begs the question whether we would ever want to do this—whether we should ever do it. It is difficult for many of us to imagine any circumstance in which anyone would want to authorize such extraordinary action, but that is exactly the point—the point contemplated by the suspension clause in the U.S. Constitution. If something like that is going to be done, Congress needs to do it and needs to do it expressly and identify exactly what the threat, the war, the insurrection is that is being addressed.

I am offering this amendment because of my faith in our law enforcement officers and judges. And I have great faith in those people who fill those roles in our country, who have successfully apprehended and prosecuted many homegrown terrorists. Their example to us proves that our security is not dependent on a supercharged government and a weakened constitution.

Moreover, we must remember that our security and our privacy are not necessarily at odds with each other. Indeed, our privacy is part of our security. It is part of what makes us secure. We can secure the homeland without using the formidable instruments of tyrants.

It is with this objective in mind that I propose to my colleagues and request the support of my colleagues for the Due Process Guarantee Act, which should be adopted so as to make sure we are both free and safe, while remaining secure.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent, notwithstanding rule XXII, that at 5:30 p.m. on Monday, September 18, the McCain amendment No. 545 be withdrawn, the Senate adopt the McCain substitute amendment No. 1003, as modified, and the Senate vote on the motion to invoke cloture on H.R. 2810; further, that if cloture is invoked, all postcloture time be considered expired and the Senate vote on passage of the bill, as amended.

The PRESIDING OFFICER. Without objection, it is so ordered.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of the following nominations: Executive Calendar Nos. 280, 281, 283, 284, 285, 286, 304, 305, 306, 307, 308, 309, and 310.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Peter E. Deegan, Jr., of Iowa, to be United States Attorney for the Northern District of Iowa for the term of four years; Marc Krickbaum, of Iowa, to be United States Attorney for the Southern District of Iowa for the term of four years; D. Michael Dunavant, of Tennessee, to be United States Attorney for the Western District of Tennessee for the term of four years; Louis V. Franklin, Sr., of Alabama, to be United States Attorney for the Middle District of Alabama for the term of four years; Jessie K. Liu, of Virginia, to be United States Attorney for the District of Columbia for the term of four years; Richard W. Moore, of Alabama, to be United States Attorney for the Southern District of Alabama for the term of four years; Bart M. Davis, of Idaho, to be United States Attorney for the District of Idaho for the term of four years; Kurt G. Alme, of Montana, to be United States Attorney for the District of Montana for the term of four years; Donald Q. Cochran, Jr., of Tennessee, to be United States Attorney for the Middle District of Tennessee for the term of four years; Russell M. Coleman, of Kentucky, to be United States Attorney for the Western District of Kentucky for the term of four years; Brian J. Kuester, of Oklahoma, to be United States Attorney for the Eastern District of Oklahoma for the term of four years; R. Trent Shores, of Oklahoma, to be United States Attorney for the Northern District of Oklahoma for the term of four years; and Daniel J. Kaniewski, of Minnesota, to be Deputy Administrator for National Preparedness, Federal Emergency Management Agency, Department of Homeland Security.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; the President be immediately notified of the Senate's action; that no further motions be in order, and that any statements relating to the nominations be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

There being no further debate, the question is, Will the Senate advise and consent to the Deegan, Krickbaum, Dunavant, Franklin, Liu, Moore, Davis, Alme, Cochran, Coleman, Kuester, Shores, and Kaniewski nominations en bloc?

The nominations were confirmed en bloc.

## LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

## MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

## REMEMBERING PETE DOMENICI

Mr. HATCH. Mr. President, I would like to take a few minutes amidst the Senate's business to memorialize my good friend, fellow colleague, and long-serving Senator of New Mexico, Pete Domenici. It is altogether fitting that we may offer tribute right in the middle of a busy day. Pete was a true legislator, the kind we just don't see all that often any longer. He was at his best when we were here getting things done—and often we were getting things done because of his efforts. He will be sorely missed by those of us who had the distinct privilege of serving alongside him.

Pete's life was a testament to the American Dream; born to immigrant parents, Pete grew up working in his father's store before going on to earn his degree in education. Later, he would teach math at a local junior high school, before making his way into city politics and, from there, join the Senate in 1972. Some will no doubt recall that he was the first Republican elected as Senator of New Mexico in nearly 40 years, but most will remember that he always put the people of his State and his Nation ahead of partisan interests.

While serving in the Senate, Pete fulfilled his charge with diligence, passion, and decorum. His time here still serves as an example to many of us. Pete was regularly willing to reach across the aisle, always willing to take the first step, and never one to shrink from an opportunity presented, whether difficult or not. Pete's efforts to bring the Federal budget under control were especially admirable, and his leadership was crucial in achieving the balanced budget of 1997. That has proven a rare accomplishment. His work as an advocate for the mentally ill showed